

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

Our Docket No.: **O155.12-0004**

Date: **September 10, 2003**

First Named Inventor: **Richard B. Brooke**

Title: **CELL PHONE/BREATH ANALYZER**

Express Mail No.: **EV 302261191 US**

03970 U.S. PTO  
10/659099  
09/10/03

**APPLICATION ELEMENTS**

**ADDRESS TO: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

1. ☒ Fee Calculation Sheet  
(Submit an original and a duplicate for fee processing)

2. ☒ Applicant claims small entity status

3. ☒ Specification Total Pages **[15]**

- Descriptive title of the invention
- Cross References to Related Applications
- Statement Regarding Fed. Sponsored R&D
- Reference to Microfiche Appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claims
- Abstract of the Disclosure

4. ☒ Drawings (35 U.S.C. 113)

Total Sheets **[2]**

5. ☐ Oath or Declaration

Total Pages **[ ]**

- a. ☐ Newly Executed (original or copy)  
b. ☐ Copy from a prior application (37 C.F.R. 1.63(d) - for continuation/divisional with Box 18 completed)

**[Mark Box 5 below]**

- I. ☐ **DELETION OF INVENTOR(S)**

Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b)

6. ☒ Application Data Sheet. See 37 CFR 1.76.

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (*Appendix*)  
8. Nucleotide and/or Amino Acid Sequence Submission (*If applicable, all necessary*)  
a. ☐ Computer Readable Copy (CRF)  
b. Specification Sequence Listing on:  
i. ☐ CD-ROM or CD-R (2 copies; or  
ii. ☐ Paper  
c. ☐ Statements verifying identify of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment Papers (cover sheet & document(s))  
10. ☐ 37 C.F.R. 3.73(b) Submission  
☐ Power of Attorney  
11. ☐ English Translation Document (*if applicable*)  
12. ☐ Information Disclosure Statement with copies of Citations as necessary  
13. ☐ Preliminary Amendment Total Pages **[ ]**  
14. ☒ Return Receipt Postcard (*Should be specifically itemized*)  
15. ☐ Certified Copy of Priority document(s) (*If foreign priority is claimed*)  
16. ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Application must attach form PTO/SB/35 or its equivalent  
17. ☒ Check in the amount of \$411.00

18. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Division ☐ Continuation-in-part (CIP) of prior Application No.

Prior Application Information: Examiner            Group Art Unit           

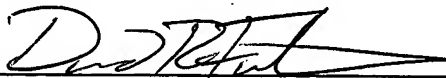
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

ATTY NAME  
AND REG. NO.

**David R. Fairbairn** 26,047

SIGNATURE:



ADDRESS

**Kinney & Lange, P.A.  
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312 South Third Street  
Minneapolis, MN 55415-1002**

TELEPHONE

**(612) 339-1863**

FAX: **(612) 339-6580**

FEE TRANSMITTAL		Complete if Known																																																																																																																																																
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1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fee required under 37 C.F.R. 1.16 and 1.17 and credit any over payments to Deposit Account No.11-0982. Deposit Account Name: Kinney & Lange, P.A. A duplicate copy of this communication is enclosed		<b>3. ADDITIONAL FEES</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - Late filing fee or oath</td><td>*</td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td>*</td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td>*</td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For Filing a Request for Reexamination</td><td>*</td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td>*</td></tr> <tr><td>1252</td><td>410</td><td>2252</td><td>205</td><td>Extension for reply within second month</td><td>*</td></tr> <tr><td>1253</td><td>930</td><td>2253</td><td>465</td><td>Extension for reply within third month</td><td>*</td></tr> <tr><td>1254</td><td>1,450</td><td>2254</td><td>725</td><td>Extension for reply within fourth month</td><td>*</td></tr> <tr><td>1255</td><td>1,970</td><td>2255</td><td>985</td><td>Extension for reply within fifth month</td><td>*</td></tr> <tr><td>1402</td><td>320</td><td>2402</td><td>160</td><td>Filing a brief in support of an appeal</td><td>*</td></tr> <tr><td>1403</td><td>280</td><td>2403</td><td>140</td><td>Request for oral hearing</td><td>*</td></tr> <tr><td>1814</td><td>110</td><td>2814</td><td>55</td><td>Terminal Disclaimer Fee</td><td>*</td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td><td>*</td></tr> <tr><td>1453</td><td>1,300</td><td>2453</td><td>650</td><td>Petition to revive - unintentional</td><td>*</td></tr> <tr><td>1501</td><td>1,300</td><td>2501</td><td>650</td><td>Utility/Reissue issue fee</td><td>*</td></tr> <tr><td>1502</td><td>470</td><td>2502</td><td>235</td><td>Design issue fee</td><td>*</td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td>*</td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Petitions related to provisional applications</td><td>*</td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Statement</td><td>*</td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td>*</td></tr> <tr><td>1801</td><td>750</td><td>2801</td><td>375</td><td>Request for Continued Examination (RCE)</td><td>*</td></tr> <tr><td colspan="5">Other fee (specify) _____</td><td>*</td></tr> <tr> <td colspan="5" style="text-align: right;">Subtotal (3) \$0.00</td> </tr> </tbody> </table>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee paid	1051	130	2051	65	Surcharge - Late filing fee or oath	*	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	*	1053	130	1053	130	Non-English specification	*	1812	2,520	1812	2,520	For Filing a Request for Reexamination	*	1251	110	2251	55	Extension for reply within first month	*	1252	410	2252	205	Extension for reply within second month	*	1253	930	2253	465	Extension for reply within third month	*	1254	1,450	2254	725	Extension for reply within fourth month	*	1255	1,970	2255	985	Extension for reply within fifth month	*	1402	320	2402	160	Filing a brief in support of an appeal	*	1403	280	2403	140	Request for oral hearing	*	1814	110	2814	55	Terminal Disclaimer Fee	*	1452	110	2452	55	Petition to revive - unavoidable	*	1453	1,300	2453	650	Petition to revive - unintentional	*	1501	1,300	2501	650	Utility/Reissue issue fee	*	1502	470	2502	235	Design issue fee	*	1460	130	1460	130	Petitions to the Commissioner	*	1807	50	1807	50	Petitions related to provisional applications	*	1806	180	1806	180	Submission of Information Disclosure Statement	*	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	*	1801	750	2801	375	Request for Continued Examination (RCE)	*	Other fee (specify) _____					*	Subtotal (3) \$0.00				
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Signature David R. Fairbairn Reg. No. 26,047  
 Date 9/10/03 Deposit Account No. 11-0982

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor : Richard B. Brooke	Batch No:
Appln. No. :	Allowed:
Filed : Herewith	Group Art Unit:
Title : CELL PHONE/BREATH ANALYZER	Examiner:
Docket No. : O155.12-0004	

**LETTER TO OFFICIAL DRAFTSMAN**

Mail Stop Issue Fee  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SENT VIA EXPRESS MAIL**  
Express Mail No.: EV 302261191 US

Sir:

Enclosed are two (2) sheets of formal drawings for filing in the above-identified application.

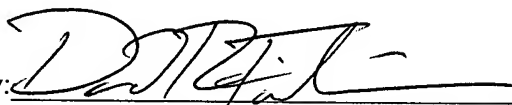
Respectfully submitted,

KINNEY & LANGE, P.A.

Date:

9/10/03

By:



David R. Fairbarin, Reg. No. 26,047  
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DRF:AK:bmg